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8 Attorneys for Plaintiffs
9 CAPITOL RECORDS, INC.; AND SONY
10 BMG MUSIC ENTERTAINMENT

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

E-FILED - 9/7/06

14 CAPITOL RECORDS, INC., a Delaware
15 corporation; and SONY BMG MUSIC
16 ENTERTAINMENT, a Delaware general
17 partnership,

Plaintiff,

v.

18 CHARLES ABADIE,

Defendant.

Case No.: C06-2049 RMW

Honorable Ronald Whyte

**STIPULATION TO VACATE CASE
MANAGEMENT CONFERENCE
AND ORDER**

1 Plaintiffs and Defendant, through their respective counsel, hereby stipulate to vacate
2 the Case Management Conference currently set for September 8, 2006, at 10:30 a.m. The parties
3 have come to a settlement in this action, and the settlement documents are now being finalized.
4 Plaintiffs and Defendant therefore request sixty days (60) to file the dispositional documents for this
5 settlement.

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8 Dated: September 1, 2006

HOLME ROBERTS & OWEN LLP

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11 By: /s/ Thomas M. Kerr
12 Thomas M. Kerr
13 Attorneys for Plaintiffs
CAPITOL RECORDS, INC.; AND SONY BMG
MUSIC ENTERTAINMENT

14
15 Dated: September 1, 2006

LAW OFFICES OF JAMES MCELROY

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17 By:
18 Jayson Lorenzo
19 Attorneys for Defendant
CHARLES ABADIE
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13 CAPITOL RECORDS, INC.; AND SONY BMG
14 MUSIC ENTERTAINMENT

15 Dated: September 1, 2006

LAW OFFICES OF JAMES MCELROY

16
17 By: 

18 Jayson Lorenzo
19 Attorneys for Defendant
20 CHARLES ABADIE

21 IT IS SO ORDERED.

22 A Case Management Conference has been set for November 17, 2006 @ 10:30 a.m.
23 If the settlement is final, counsel shall file a dismissal with the Court by November 14,
24 2006, and contact the Courtroom Deputy at (408) 535-5375, so to take this matter off
25 calendar. (rmw)

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27 Date: 9/7/06

/s/ Ronald M. Whyte

28 U.S. DISTRICT JUDGE